

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Authorize the Employment of Animal Control Officers by Animal Shelters**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 7 MRSA §3907, sub-§4**, as amended by PL 1995, c. 490, §1, is further amended to read:

**4. Animal control officer.** "Animal control officer" means the person appointed periodically by a municipality pursuant to ~~chapter 725~~section 3947 or a person employed by an animal shelter pursuant to section 3947-A.

**Sec. 2. 7 MRSA §3947-A** is enacted to read:

### **§ 3947-A. Animal control officers employed by animal shelter**

An animal shelter licensed under section 3932-A may employ an animal control officer in accordance with this section. In addition to appointing an animal control officer as required under section 3947, a municipality may contract for the services of an animal control officer employed by the animal shelter that the municipality has designated under section 3949.

**1. Duties.** The duties of an animal control officer employed by an animal shelter under this section are enforcement of sections 3911, 3912, 3916, 3921, 3924, 3943, 3948, 3950, 3952 and 4041 and Title 17, section 1023, responding to reports of animals suspected of having rabies in accordance with Title 22, sections 1313 and 1313-A and any other duties to control animals as the animal shelter or contracting municipality may require.

**2. Restrictions on employment.** An animal shelter may not employ a person as an animal control officer who has been convicted of murder, a Class A or Class B offense, a violation of Title 17-A, chapter 9, 11, 12 or 13 or a criminal violation under Title 17, chapter 42, adjudicated of a civil violation for cruelty to animals under chapter 739 or convicted or adjudicated in any other state, provincial or federal court of a violation similar to one specified in this subsection.

**3. Certification and training.** A person employed by an animal shelter must be certified in accordance with section 3906-B, subsection 4 prior to assuming the duties of an animal control officer under subsection 1 and must attend advanced training programs as described under section 3906-B, subsection 4 to maintain certification. An animal control officer must have a minimum of 8 hours of training each year.

**4. Municipality not liable.** A municipality is not liable for the conduct of an animal control officer employed by an animal shelter and providing services under a contract between the shelter and the municipality. A municipality contracting with an animal shelter for the services of an animal control officer is not responsible for fees, wages or expenses of that animal control officer.

## **SUMMARY**

This bill authorizes an animal shelter to employ an animal control officer with duties and certification requirements identical to those of an animal control officer designated by a municipality. It authorizes a municipality to contract with a shelter for an animal control officer's services.